

**IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

ANTONIO FREEMAN,)	
)	
Plaintiff,)	
)	
)	
v.)	Civil No. 3:10-0071
)	Judge Trauger
BOBBY HARRIS and)	
GALLATIN POLICE DEPARTMENT,)	
)	
Defendants.)	

ORDER

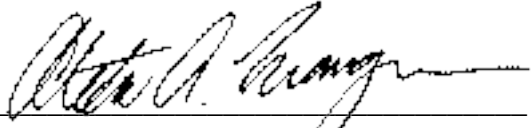
On December 30, 2010, the Magistrate Judge issued a Report and Recommendation (Docket No. 64), to which no timely objections have been filed. The Report and Recommendation is therefore **ACCEPTED** and made the findings of fact and conclusions of law of this court. For the reasons expressed therein, the following are hereby **ORDERED**:

1. The plaintiff's Motion For Summary Judgment (Docket No. 43) is **DENIED**.
2. The plaintiff's Motion For Leave to File An Amended Complaint (Docket No. 40) is **DENIED**.
3. The defendants' Motion To Dismiss (Docket No. 25) is **GRANTED IN PART** and **DENIED IN PART**. The motion is **DENIED** with regard to the plaintiff's false arrest and false imprisonment claims under 42 U.S.C. § 1983, and those claims shall move forward. The motion is **GRANTED** as to the plaintiff's claims for illegal search, excessive bail and deprivation of property, which claims are **DISMISSED WITH PREJUDICE**. As to the claims dismissed with prejudice, any appeal would not be certified as taken in good faith under 28 U.S.C. § 1915(a)(3).

This case is **REFERRED** back to the Magistrate Judge for further handling.

It is so **ORDERED**.

Enter this 2nd day of February 2011.



ALETA A. TRAUGER
United States District Judge